

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JULIAN A. MILLER,

Plaintiff,

v.

STANLEY TAYLOR, individually and in
his official capacity as Commissioner of the
Delaware Department of Correction;
THOMAS CARROLL, individually and in
his official capacity as Warden of the
Delaware Correctional Center at Smyrna;
DR. ALIE, individually and in her official
capacity as Medical Director at DCC
Smyrna; RN IHOMA, individually and in
her official capacity as Registered Nurse at
DCC Smyrna,

Defendants.

C.A. No. 04-1367-KAJ

**PLAINTIFF JULIAN MILLER'S MOTION FOR DEFAULT
JUDGMENT AGAINST DR. SITTA B. GOMBEH-ALIE**

Plaintiff Julian A. Miller (hereinafter referred to as "Plaintiff Miller") hereby moves for default judgment against Dr. Sitta B. Gombeh-Alie (Defendant Gombeh-Alie)¹. Plaintiff Miller filed this civil rights action on October 18, 2004. (D.I. 2). Plaintiff Miller filed an amended complaint on March 7, 2005. (D.I. 13) Defendant Gombeh-Alie was served with the amended complaint and waived service. The executed waiver of service was returned on July, 27, 2005 (D.I. 24). Defendant Gombeh-Alie has not answered or otherwise responded to the complaint. The RETURN OF WAIVER OF SERVICE OF SUMMONS reads:

¹ Plaintiff Miller named Dr. Alie, individually and in her official capacity as Medical Director at DCC Smyrna, as a defendant in his complaint and amended complaint. Based on current information, Dr. Alie's full name is Dr. Sitta B. Gombeh-Alie, as reflected in the Second Amended Complaint.

I understand that a judgment may be entered against the party on whose behalf I am acting if a response is not served and filed within **60** days after May 4, 2005.

Accordingly, the Court should enter a default judgment against Defendant Gombah-Alie.

Dated: June 9, 2006

FISH & RICHARDSON P.C.

By: /s/ Sean P. Hayes

Sean P. Hayes (I.D. No. 4413)
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Attorney for Plaintiff
Julian A. Miller

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2006, I electronically filed with the Clerk of Court **PLAINTIFF JULIAN MILLER'S MOTION FOR DEFAULT JUDGMENT AGAINST DR. SITTA B. GOMBEH-ALIE** using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel, and by Registered Mail, Return Receipt Requested to Dr. Sitta B. Gombah-Alie at the address below.

BY EMAIL AND BY HAND

Aaron R. Goldstein (I.D. No. 3735)
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Attorney for Defendants
Stanley Taylor and Thomas Carroll

BY REGISTERED MAIL
RETURN RECEIPT REQUESTED

Dr. Sitta B. Gombah-Alie
802 Ridge Court
Cantwell Ridge
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/s/ Sean P. Hayes
Sean P. Hayes